

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 ROBERT A. SLOVAK,

5 Plaintiff,

6 v.

7 GOLF COURSE VILLAS HOMEOWNERS
8 ASSOCIATION, *et al.*,

9 Defendants.
10

3:13-cv-00569-MMD-CLB

ORDER

11 Currently pending before the court is Plaintiff Robert A. Slovak's ("Slovak")
12 "motion for clarification and leave to conduct limited pre-evidentiary hearing discovery."
13 ECF No. 331. In this motion, Slovak alleges he seeks "clarification" of the Court's
14 previous orders which explicitly *denied* his repeated requests to engage in pre-
15 evidentiary hearing discovery, i.e., to take the depositions of witnesses that may be
16 called to testify at the upcoming bifurcated evidentiary hearing. ECF No. 331. This
17 hearing was initially scheduled for February 2019 but was continued to August 2021.

18 Defendant Wells Fargo opposed this motion – pointing out the many times Mr.
19 Slovak previously made this identical request in relation to the bifurcated hearing and the
20 many times the Court expressly *denied* these requests. ECF No. 333. Mr. Slovak replied.
21 ECF No. 334. Having reviewed the papers, attachments, and prior filings in this case, the
22 Court again **DENIES** Mr. Slovak's motion for clarification and leave to conduct pre-
23 evidentiary hearing discovery. ECF No. 331.

24 The Court agrees with Wells Fargo and adopts its analysis and expressly rejects
25 the arguments made by Slovak. Contrary to Slovak's arguments, the purpose and scope
26 of the evidentiary hearing set for August 2021 remains the same as when this hearing
27 was originally set in February 2019 – irrespective of what motion or motions may or may
28 not be pending. Specifically, the purpose of the hearing was, and continues to be, for the

1 presentation of evidence related to the authenticity and originality of the documents
2 offered by Wells Fargo in 2018 to finalize the parties' settlement agreement. In 2018, this
3 Court expressly ruled – on more than one occasion – that pre-hearing discovery or
4 depositions were not necessary on the straightforward issues related to the authenticity
5 and originality of these documents. Nothing has changed with respect to the purpose or
6 scope of the hearing as claimed by Slovak – regardless of the procedural posture or
7 change in pending motions. Thus, the Court re-affirms its prior rulings on these points
8 and denies his motion. ECF No. 331.

9 **IT IS THEREFORE ORDERED** that Plaintiff's motion for clarification and leave to
10 conduct pre-hearing discovery, ECF No. 331, is **DENIED**.

11 **IT IS FURTHER ORDERED** that Plaintiff's motion to shorten time, ECF No. 332,
12 is **DENIED** as moot.

13 **DATED:** July 16, 2021.

14
15 
16 **UNITED STATES MAGISTRATE JUDGE**
17
18
19
20
21
22
23
24
25
26
27
28